Valerius, Virginia *Independent Chronicle*, 23 January 1788

To the Honorable RICHARD HENRY LEE, member of Congress for the state of Virginia.

Sir, Presuming on the importance of your political character, and the *supposed* weight which your name might, perhaps, carry with it, you have produced to the consideration of the public, through the medium of a *friend*, your collected objections to the new plan of confederation. Disdaining the clandestine mode of conveying information under a fictitious signature, you have boldly given your *name* to the public, and with a peculiar air of importance, you thought the *channel* of a pamphlet was more respectable and better suited to the dignity of your letter, than that of a newspaper. 2 The purpose, which you had in view, was judiciously conceived. For, a man of your sagacity and experience must have known, that a literary reputation, it is immaterial, whether it is justly acquired or not, sometimes supplies the place of genius, and a *great name*, on many occasions, makes up for a deficiency of argument. I confess myself pleased with the spirit, which you have shewn on this occasion; but, I suspect, sir, that there are some persons who will be perhaps so *uncharitably* disposed as to attribute the voluntary publication of your *name*, to something more than *spirit*. Personal resentments, and above all, an irascible disposition, wounded by repeated disappointments of a public nature, may perhaps, be supposed, by your *enemies*, to be the secret causes of your violent opposition to the fœderal constitution. Be this as it may, I might, probably, have been tempted to follow your *example*, and even annex my *name* to this address, if I was not deterred, by seeing the very little attention, and respect, which a *printed letter*, though recommended by the Honorable signature of Richard Henry Lee, receives from the Public.

It is not, sir, my intention to dissect your letter, nor apply to every argument, or rather *paragraph*, in your celebrated epistle. This would be a task, as tedious, as it would be disagreeable. The triumphs of victory, even over so respectable a personage as yourself, would scarcely recompense me for the fatigues and disgusts, which I should suffer in obtaining it. In political, as well as military contests, very little honor can be acquired, or laurels gained by defeating a weak and defenceless adversary. For, you must, sir, permit me to tell you, however disagreeable the language may be to a man of your *delicate* feelings and *sacred regard* to truth, that your letter, though published with so much formality, is but one continued series of “strong assertion without proof, declamation without argument, and violent censures without dignity or moderation.”

I am, sir, a plain, unlettered man; I pretend not to an extensive knowledge in the many sciences of government. I have, scarcely, the reading of an obscure individual. But, the little knowledge, which I do possess, and I sincerely thank the *good being* for that little—effectually secures me from being carried away by the *haughty* overbearance of *great names*, and may, perhaps, enable me to detect the errors, and unravel the sophistry of even so *consummate* a politician as yourself.

In the beginning of your letter, you assert, that the proposed fœderal constitution is defective; that amendments are necessary, and that to make these amendments, another convention ought to be called. Nay, you have gone *farther*. To save *this convention* a great deal of deliberation and debate, and the *United States* much
additional and unnecessary expence, you have graciously been pleased to point out the defects, and, without application, magisterially propose suitable amendments. What astonishing condescension! How generously patriotic! It is most devoutly to be wished, that your grateful county would liberally reward you at some future period, for this unsolicited kindness, and rest assured, sir, I should not interpose to stop your exaltation. I am not, sir, a blind and enthusiastic admirer of the new constitution. I feel myself equally removed from that puerile admiration, which will see no fault, and can endure no change, and that distempered sensibility, which is, tremblingly, alive only to perceptions of inconveniency. I do not believe, that the constitution is absolutely perfect; but I am sure, sir, you have not convinced that it is defective. It is from the perceptible and long observed operation; from the regular progress of cause and effect, that imperfections in free governments are to be discovered, and adequate remedies applied. It appears to my understanding, clear beyond a doubt, that experience only can teach us the pernicious tendency of that new system of government, which you, in your political visions, have been pleased to discover. Permit me, now, to ask you a few simple questions. Have you considered the peril, and perhaps, the impracticability of calling another convention? Do you think it possible to obtain another conventional representation, which promises to collect more wisdom, and produce firmer integrity, than the last? Have you compared the federal constitution, not with models of speculative perfection, but with the actual chance of obtaining a better? Are you certain, that the defects, which you have discovered, really exist, and that the amendments, which you propose, would be adopted? And, pray! sir, why might not all your boasted amendments be as liable to objections as the defective parts, which you have, with such peculiar sagacity discovered in the federal constitution? As the doctrine of infallibility is rapidly declining, even in the papal dominions, perhaps you intend to transplant it into the uncultivated wilds of America, or else revive it in your own person. But, believe me, sir, it will not thrive in the American soil; neither will the sanction of your name procure it an implicit reception among us.

You say, that, “in the new constitution the president and the senate have two thirds of the legislative power.” By what species of calculation, you have, so accurately, ascertained this point, I cannot conceive. It cannot be by division alone. It must then be by your favorite rule—multiplication—or perhaps by both. But, to be serious—with all due deference to your superior knowledge of figures, it may, in my humble opinion, be easily shewn that you have, in this enumeration at least, committed an egregious mistake. It is to be supposed, for you have given us no data to go upon, that you have divided the legislative power equally between the president and the senate. By this division, the president will have one third, the senate the other, and both together, (you will correct me, if I am wrong in my calculation) make two thirds, which is the quantity you have discovered. Whether the senate possesses one third or more, I must confess, I am unable to determine exactly. But, of this much I am sure, that the president cannot possess, without we call in the assistance of your favorite rule, the one third of legislative power, which you have, so generously, given him. As I never make an assertion without proof, I will fairly state the case, and appeal to the understanding of every man to draw the conclusion. The senate has the power of originating all bills,
except revenue bills, in common with the house of representatives, and no bill can pass into a law without the approbation of two thirds of both houses. From this exclusion of the senate with respect to money bills, it is plain, that this body does not possess such extensive legislative power, as the house of representatives. The president can originate no bill of any denomination, and his negative, which, by the bye, is his only legislative power, is of no avail, provided two thirds of both houses concur in the bill. Hence, it is clear, that the president does not even possess such extensive legislative power as the house of representatives, and the president as the senate, how can it, justly, be made to appear, that the president and senate have two thirds of the legislative power?

You ask with an air of triumph, “can the most critic eye discover responsibility in this potent corps!” meaning, I suppose, the president and senate. Permit me, sir, to continue my usual stile of interrogation, as it best suits my capacity, and by opposing question to question, compel you to pronounce your own refutation. Is not the president responsible to the people, who, indirectly, elect him, and to the house of representatives, who can impeach him? Is not the senate amenable to the different state legislatures; by whose breath they exist and can be in a moment annihilated, and to the house of representatives also, which has the sole power of impeachment? Lay your hand upon your heart, sir, and answer these questions, with that candour and honesty, as if you were in the immediate presence of your God.

Your next assertion is, “That Virginia has but one vote in thirteen in the choice of the president, and this thirteenth vote not of the people, but electors, two removes from the people.” It is extremely disagreeable to me to give a direct contradiction to a gentleman of your respectable appearance, but in this instance, you have committed such a flagrant violation of the truth, that I cannot forbear it. Take up, sir, the federal constitution, read that part, which respects the election of the president, and contradict me if you can. Afterwards compare it with your own account, and blush for your folly and indiscretion.

Each state, that is, the citizens of each state, are to appoint in such a manner, as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives, to which each state may be entitled in Congress. Now, as Virginia is entitled to twelve members to both houses, it must appoint an equal number of electors; and as each elector has two votes, Virginia will have, of course, twenty-four votes in the choice of a president, and these twenty-four votes will be, but one remove from the people. It is only, on a particular occasion, which may, perhaps, never occur, that the state has but one vote in thirteen. As you appear to be entirely ignorant of this matter, to oblige you, sir, I will mention it. When, upon the examination of the certificates, transmitted by each state to Congress, it is found, that no one person has a majority of votes, but that two or more have an equal number, then the house of representatives shall immediately choose one of them for president. But, in choosing the president, the votes are to be taken by states, the representation from each state having but one vote. The prudence, which dictated this exception from the general mode of election, is very conspicuous. The case can occur, but rarely, and when ever it does occur, Congress must elect one from the number of those who are highest, but equal in the list. How then dare you presume to assert in such general terms, that Virginia can
have but one vote in the choice of a president, when by the constitution, it is, clearly, entitled to twenty-four. When I see questions of the highest national importance thus unfairly treated, and the first principles of the federal constitution grossly misrepresented, I must confess, that I cannot restrain my resentment. It must give pain to every benevolent mind, to see men of reputed abilities, and in whose integrity, much public confidence is reposed, giving into such low artifices, and descending so much beneath their true line of character. I would, fondly, believe, sir, that you are the dupe of your own sophistry, and that, the many mistakes contained in your printed letter, proceed rather from ignorance, than from a premeditated design to deceive. But, let your motives be what they may, you must permit me, sir, to tell you, that there is such a fund of good sense in this country as will effectually prevent the people from being lead astray by any man or description of men whatsoever.

Have you, sir, weighed the consequences of committing your name, accompanied with such misrepresentations, to the free discussion, and merited censures of an insulted people? Are you aware of the injury which you do your favorite cause? Do you think that the people are to be deceived by such low arts? I am, sir, a candid, very candid man, and perhaps the familiar mode of my interrogations may displease the delicacy of your feeling.

You positively assert, “that the constitution is highly and dangerously obligarchic.” This, Sir, is another of your numerous assertions without proof, and though it may receive the concurrence of your correspondent, yet his solitary approbation will not stamp it with the signature of truth. The assertion in its present form, is not entitled to my notice, but produce your arguments, and I, thus, in the most unequivocal manner, oblige myself to prove them groundless.

The reflection you have thrown upon the house of representatives, savours strongly of an exasperated spirit; you stile it “a mere shred or rag of representation.” But, the description is as false, as the language is vulgar. What! shall a body of the choicest sons of America, elected by the unbought, unbiased voices of a whole nation, entrusted with sovereign powers, and whose important charge is the common defence and general welfare of thirteen confederated states, shall this body be stiled “the mere shred and rag of representation.” For shame! sir, for shame! let me beg of you to be more guarded in your expressions. Do not let your passions force from you such indecent and improper language.

“With the constitution,” you say, “came from the convention, so many members of that body to Congress, and of those too, who were among the most fiery zealots for their system, that the votes of three states being with them, two states divided by them, and many others mixed with them, it is easy to see that Congress could have little opinion upon the subject.” This sentence is so tedious, contradictory and ambiguous, that really it is scarcely worth the trouble to comprehend it. But, as I intend to examine it a little in a subsequent letter, I shall at present make but one remark upon it. It is this, that it conveys an insinuation as little worthy of the gravity of your character, as it is useless to your purposes; it appears too much like a peevish expression of resentment, or the hasty language of pique and invective.
The federal constitution, sir, has been submitted, by the unanimous consent of Congress, to the consideration of the people, in the same unaltered shape, in which it came from the hands of its parents. It goes forth among us in the unprotected situation of an orphan, with a modest request to all, entreatings, that it may be heard, before it is abused, and examined, before it is condemned. To blacken its reputation by false reports, and disfigure its most lovely features with wanton levity, would discover uncommon cruelty of heart, and awaken resentment in the bosom of every honest, humane man.

From the manner in which this letter will reach you, you must perceive, that it was not intended for your private amusement only. I wished, at once, to point out to you your errors, and remove from the minds of my fellow citizens, the bad impressions, which they might have made.

I am unknown to you, sir, and perhaps I will ever remain so. I fear no man's frowns, 4 I dread no man's resentment. As long as I am capable of exercising that rational intellect which the good being has been pleased to impart to me, I shall consider it as my duty to stand forth and endeavour to undeceive the people, when the vilest arts are made use of to mislead and delude them.

I shall conclude this letter with a quotation from a late anonymous writer, not only, because it is applicable to our respective situations, but because it conveys my sentiments in more expressive language, than I am capable of using.

“To such as make a fictitious signature an objection to belief, I reply, that it matters very little, who is the author of sentiments, which are intended for public consideration; that error, though supported by dignified names, will never be adopted; and that truth though it comes from a cottage, will always prevail.”

Dec. 1787.


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